

ELECTION UNDER 35 U.S.C. § 121

In response to the Election/Restriction requirement mailed on June 23, 2004, the Applicant provisionally elects, without traverse, the species of FIGs. 1-3, the claims readable thereon including claims 1-3, 11-13, and 19-20. The Applicant respectfully submits that independent claims 1, 11, and 19 are generic. Upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species.

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. The Applicant respectfully submits that independent claims 1, 11, and 19 are generic to the various embodiments disclosed in the application because these claims read upon each embodiment. A generic claim is one that includes “no material element additional to those recited in the [additional] species claims, and comprehends within its confines the organization covered in each of the species.” MPEP § 806.04(d). Additionally, generic claims are recognized where additional species claims “contain all the limitations of the generic claim.” *Id.*

The independent claims of the present application meet these requirements. The generic nature of claims 1, 11, and 19 is apparent when the subject matter of the respective dependent claims is compared with the figures. The species not elected herein are all covered by dependent claims. Dependent claims 2-10 read upon every embodiment depicted in figures 4-14. A similar condition exists with respect to dependent claims 12-18. Consequently, the additional species claims necessarily contain all limitations of the respective generic claims, and the independent claims do not include any material elements not present in the dependent claims.

The interrelationship of the independent claims and the various species disclosed is further evident from the text of the disclosure. For example, the specification notes that “While the embodiment of FIGs. 1-3 includes a single roller disposed between two opposing ramp surfaces, multiple rollers and multiple corresponding ramp surfaces can be used to multiply force or provide redundant structure, if desired.” P. 3 ln. 26-28. Similarly, the specification includes

the following discussion that clearly notes a relationship between the embodiments of FIGs. 8-14 and those of FIGs. 1-3 and 4-7:

Depicted in FIGs. 8-14 are various other embodiments of internal locking mechanisms in accordance with the present invention. No tubes are shown in these variations, but they would function in a similar way to the parts in FIG. 2. The variations shown in FIGs. 8 through 14 function essentially the same as those of FIGs. 1-3 and 4-7, with the main difference being how they spread the ramps and release elements apart.

P. 5 ln. 13-17.

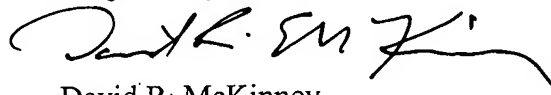
CONCLUSION

In light of the above, Applicant respectfully requests that the Examiner examine the elected claims on-the-merits, and acknowledge claims 1, 11, and 19 as being generic. If any impediment to the prompt examination of these claims remains after entry of this Election, the Examiner is strongly encouraged to call David R. McKinney at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 22^d day of July, 2004.

Respectfully submitted,



David R. McKinney
Registration No. 42,868

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633